

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

JOHANNA LYNN GREEN,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of the Social Security  
Administration,

Defendant.

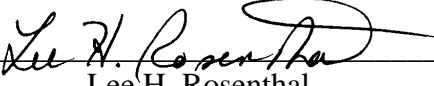
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CIVIL ACTION NO. H-09-3714

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND  
REMANDING CASE**

This court has reviewed the Memorandum and Recommendation on Cross-Motions for Summary Judgment of the United States Magistrate Judge signed on October 15, 2010 and made a *de novo* determination. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on the pleadings, the record, and the applicable law, the court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds and concludes that the Administrative Law Judge's decision denying social security benefits was not supported by substantial evidence because the ALJ did not consider the combined effect of all the plaintiff's impairments and failed to follow the SSA procedures. Remand is required so that the record may be developed fully on the issue of the plaintiff's impairments. Accordingly, the plaintiff's motion for summary judgment is granted and the defendant's motion is denied. This matter is remanded under sentence four of 42 U.S.C. § 405(g).

SIGNED on November 3, 2010, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge